



THE FAMILY LINES RAIL SYSTEM

500 Water Street · Jacksonville, Florida 32202 · Telephone (904) 359-3100

July 9, 1982

LAW DEPARTMENT

Writer's direct

telephone line: 6948-K

RECORDATION NO. 6948-K

FILED 1425

2-196A09

JUL 15 1982 2 15 PM

Ms. Agatha L. Mergenovich
Secretary
Interstate Commerce Commission
Washington, D.C. 20423

No. JUL 15 1982 INTERSTATE COMMERCE COMMISSION

Date.....

Fee \$ 10.00

Dear Madam Secretary:

ICC Washington, D. C.

I have enclosed four counterparts of the document described below to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is an Agreement of Partial Release dated as of May 15, 1982, a secondary document.

The primary documents to which this secondary document is connected are recorded under Recordation No. 6948.

The names and addresses of the parties to the enclosed document are as follows:

State Mutual Life Assurance Company of America,
whose address is 440 Lincoln Street, Worcester,
Massachusetts 01605;

Trust Company Bank, whose address is P.O. Box 4625,
Atlanta, Georgia 30302; and

Louisville and Nashville Railroad Company, whose
address is 500 Water Street, Jacksonville, Florida
32202.

The equipment covered by the enclosed Agreement of Partial Release is a 50-ton 50'6" box car bearing L&N road number 109829.

A fee of \$10 is enclosed. Please return any counterparts not needed by the Commission for recordation to:

Mr. David M. Yearwood
General Attorney
Louisville and Nashville Railroad Company
500 Water Street
Jacksonville, Florida 32202.

A short summary of the document to appear in the index is as follows:

Release of a 50-ton box car bearing L&N road number 109829.

Very truly yours,

A handwritten signature in cursive script that reads "David M. Yearwood". The signature is written in dark ink and is positioned above the typed name.

David M. Yearwood

General Attorney

Louisville and Nashville Railroad Company

JUL 15 1982 - 2 15 PM

INTERSTATE COMMERCE COMMISSION

AGREEMENT OF PARTIAL RELEASE dated as of May 15, 1982 among STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA, TRUST COMPANY BANK, as Trustee, and LOUISVILLE AND NASHVILLE RAILROAD COMPANY.

WITNESSETH:

WHEREAS, by a Reconstruction and Conditional Sale Agreement dated as of December 1, 1972 (hereinafter called the Conditional Sale Agreement), among State Mutual Life Assurance Company of America (therein and hereinafter called the Vendor), Louisville and Nashville Railroad Company (hereinafter called the Lessee), L&N Investment Corporation (therein and hereinafter called the Builder) and Trust Company Bank, as Trustee, the Vendor agreed to sell to said Trustee its interest in the railroad equipment described in Schedule A thereto (hereinafter called the Equipment) after it has been reconstructed by the Builder;

WHEREAS, by a Lease of Railroad Equipment dated as of December 1, 1972 (hereinafter called the Lease) between Trust Company Bank, as Trustee (therein and hereinafter called the Lessor) and the Lessee, the Lessor leased the Equipment to the Lessee subject to the rights of the Vendor under the Conditional Sale Agreement;

WHEREAS, the Conditional Sale Agreement was filed and recorded with the Interstate Commerce Commission, pursuant to Section 20c of the Interstate Commerce Act, on March 2, 1973 and assigned Recordation No. 6948;

WHEREAS, the Lease was filed and recorded with the Interstate Commerce Commission, pursuant to Section 20c of the Interstate Commerce Act, on March 2, 1973 and assigned Recordation No. 6948-A;

WHEREAS, one (1) 50-ton 50'6" box car bearing the Lessee's road number 109829 (hereinafter called the Casualty Unit), subject to the Conditional Sale Agreement and Lease, has suffered a Casualty Occurrence;

WHEREAS, the Lessee has paid to the Lessor, pursuant to Section 6 of the Lease, the Casualty Value of the Casualty Unit;

WHEREAS, the Lessor, as Vendee under the Conditional Sale Agreement, has paid to the Vendor, pursuant to Article 6 of the Conditional Sale Agreement, the Casualty Value of the Casualty Unit;

WHEREAS, the Lessor, as Vendee under the Conditional Sale Agreement, is entitled to receive from the Vendor this instrument confirming passage to the Lessor of the Vendor's right, title and interest in the Casualty Unit and the release of the Casualty Unit from the terms and conditions of the Conditional Sale Agreement; and

WHEREAS, the Lessee is entitled to receive from the Lessor this instrument confirming passage to the Lessee of the Lessor's right, title and interest in the Casualty Unit and the release of the Casualty Unit from the terms and conditions of the Lease;

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements hereinafter set forth, the parties hereto do hereby agree as follows:

The Vendor does hereby bargain, sell, assign, transfer and set over to the Lessor its right, title and interest in the Casualty Unit and

does hereby release the Casualty Unit from the terms and conditions of the Conditional Sale Agreement.

The Lessor does hereby bargain, sell, assign, transfer and set over to the Lessee its right, title and interest in the Casualty Unit and does hereby release the Casualty Unit from the terms and conditions of the Lease.

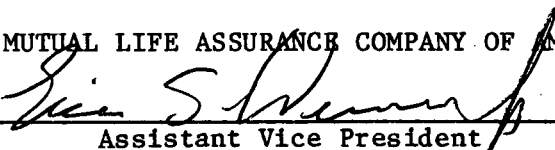
The Lessee will cause this Agreement to be filed and recorded with the Interstate Commerce Commission pursuant to the provisions of 49 U.S.C. Section 11303.

This instrument may be executed in two or more counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such original counterpart.

IN WITNESS WHEREOF, the parties hereto have executed or caused this instrument to be executed as of the date first above written.

STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA

By


Assistant Vice President

(Corporate Seal)

ATTEST:


Assistant Secretary

TRUST COMPANY BANK,
as Trustee

By 
Vice President

(Corporate Seal)

Attest:



~~Assistant~~ Vice President

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By 
Director of Finance

(Corporate Seal)

ATTEST:


Attesting Officer

COMMONWEALTH OF MASSACHUSETTS)
) SS:
COUNTY OF WORCESTER)

On this 7th day of June, 1982, before me personally appeared ERIC S. WERNER, JR., to me personally known, who, being by me duly sworn, says that he is ASST. VICE PRES. of State Mutual Life Assurance Company of America, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Jane B. Simoneau
Notary Public
JANE B. SIMONEAU

My Commission expires My Commission Expires June 2, 1983

(Notarial Seal)

STATE OF GEORGIA)
) SS:
COUNTY OF FULTON)

On this 9th day of June, 1982, before me personally appeared R. M. BELK, to me personally known, who, being by me duly sworn, says that he is Vice President of Trust Company Bank, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Annice Ann Bayless
Notary Public

My Commission expires Notary Public, Georgia State at Large
My Commission Expires Dec. 14, 1984

(Notarial Seal)

STATE OF FLORIDA)
) SS:
COUNTY OF DUVAL)

On this 27th day of May, 1982, before me personally appeared David D. Owen, to me personally known, who, being by me duly sworn, says that he is Director of Finance of LOUISVILLE AND NASHVILLE RAILROAD COMPANY, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Susan E. Carr

Notary Public

Notary Public, State of Florida

My Commission expires My Commission Expires March 16, 1986.
~~Bonded Through Fidelity Insurance, Inc.~~

(Notarial Seal)